



ZZW
AFS
je

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant: Matthew ROZEK, et al.
Title: TRACKING STATUS OF INBOUND TRADING PARTNER
DOCUMENTS
Appl. No.: 09/748,125
Filing Date: 12/27/2000
Examiner: Stork, Kyle R.
Art Unit: 2178
Confirmation No. 4154

REPLY BRIEF UNDER 37 C.F.R. § 41.41

MAIL STOP APPEAL BRIEF - PATENTS

P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellants stand by their Appeal Brief and all of the various distinctions listed therein. However, Appellants wish to respond to several arguments made in the Examiner's Answer dated August 23, 2006.

On page 14 of the Examiner's Answer, it asserts that "the translator [of Ricker] not only functions to convert the document from a source format to a target format. The translator additionally validates the document (page 8, paragraph 2: Here, checking to ensure that the document is 'well-formed' is a validation of the document). The process of validating the document inherently detects errors if the document is not 'well-formed.'"

Appellants strongly disagree with these assertions made in the Examiner's Answer, to the extent that they may be applied to the presently pending claims.

In particular, Ricker describes a translator that converts an EDI document to an XML document, and that converts an XML document to an EDI document. In performing the conversion of an XML document to an EDI document, "it's X12 data dictionary will ensure

the XML document is compliant with a well-formed EDI message.” Thus, Ricker uses an X12 data dictionary to convert an XML document to an EDI message. There is no teaching or suggestion in this portion of Ricker (page 8 and Figure 9) of capturing error data representing errors detected in the translation to a tracking database. Rather, Ricker merely performs standard translation (or conversion), whereby any errors found during that translation are presumably not stored anywhere for later retrieval, but rather a translation is made using the best efforts of Ricker’s translator.

Page 15 of the Examiner’s Answer asserts that “Puckett discloses the use of an error log database, which stores errors captured from a translation system (Figure 1; column 2, lines 60-67).” The Examiner’s Answer further asserts that it would have been obvious to one of ordinary skill in the art to have combined Puckett’s method of storing errors from a translation system with Ricker’s validation of documents translated for a business-to-business electronic commerce system, since it would have allowed a user to interpret and categorize error conditions (Puckett: column 2, lines 14-20).”

Appellants strongly disagree with the above assertions made in the Examiner’s Answer. Namely, as had been noted previously (see Appeal Brief), Puckett is not relevant to the claimed invention since it relates to a translator that translates low level error data (for example, binary records) stored in an error database to a more intelligible form, and correlates higher level queries to the lower level error data stored in the error *log* database 168.. The error data stored in the error log database is derived from system *log* files in a mass data storage system. See col. 2, lines 17-20 and col. 3, lines 4-12 of Puckett. Therefore, the error processing in Puckett has nothing to do with the (1) claimed capturing of *translator error data* in a tracking database that represents errors in inbound document which are detected in the translation process. Furthermore, since Puckett has nothing to do with an inbound trading partner document, it necessarily does not teach or suggest anything related to (2) an internal document identifier being saved to the tracking database that serves as an index for the translation error data.

Please note that Puckett’s system is directed to large quantities of data provided by diagnostic sensors, as discussed in column 1, lines 6-13 of Puckett, and as such is not especially pertinent to the claimed invention.

Lastly, with respect to the comments made on page 15 of the Examiner's Answer with respect to Yang, the Examiner's Answer basically asserts that since "Yang does related (sic) to translations in general", it would have been obvious to have combined Yang with the other cited art of record. Appellants strongly disagree with this assertion.

Namely, as mentioned in the Appeal Brief, the portion of Yang (column 9, lines 57-61) cited in the Examiner's Answer relates to a process flow in the translation of command strings in a test script, and is completely unrelated to identifying translation error data from trading partner documents or to providing information to trading partners based on the identified translation error data. Accordingly, one skilled in the art would not have been motivated to combine the teachings of Yang with those of the other cited art of record.

Accordingly, claims 21 and 22 are patentable for these additional reasons, beyond the reasons provided in the Appeal Brief for their base claim.

Conclusion

In view of above, Appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejections of the pending claims and pass this application on to allowance.

Respectfully submitted,

Date October 19, 2006

By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

William T. Ellis
Registration No. 26,874

Phillip J. Articola
Registration No. 38,819

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.
--